

MAR 02 2007

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Ping-Wha LIN

Docket No.

121048-0006

Application No.

10/723,396

Filing Date

November 28, 2003

Examiner

Richardo Palabrica

Group Art Unit

3663

Invention: **FUEL CELLS THAT OPERATE ON NUCLEAR REACTIONS PRODUCED USING RAPID TEMPERATURE CHANGES**

I hereby certify that this PETITION TO SUSPEND EXAMINATION AND FEE TRANSMITTAL

(Identify type of correspondence)

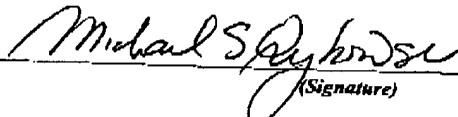
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)

on March 2, 2007

(Date)

Michael S. Gzybowski

(Typed or Printed Name of Person Signing Certificate)



(Signature)

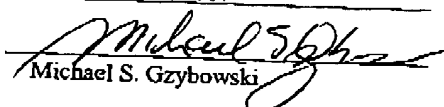
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Appl. No. 10/723,396

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PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group					
Art Unit:	3663	}			<u>Certificate Under 37 CFR 1.8(b)</u>
Attorney		}			
Docket No.:	121048-0006	}			I hereby certify that this correspondence is
Applicant:	Ping-Wha LIN	}			being transmitted to the United States Patent
Invention:	FUEL CELLS THAT OPERATE ON NUCLEAR REACTIONS PRODUCED USING RAPID TEMPERATURE CHANGES	}			and Trademark Office via facsimile
Serial No:	10/723,396	}			transmission on the date indicated below.
Filed:	November 26, 2003	}			on <u>March 2, 2007</u>
Examiner:	Richardo Palabrica	}			 Michael S. Gzybowski

PETITION TO SUSPEND EXAMINATION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned requests that the examination of the above-identified application be suspended for the reasons set forth below.

The inventor of the present application has a co-pending application (Serial No. 10/255,216) which is presently on appeal before the Board of Patent Appeals and Interferences.

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Appl. No. 10/723,396

One of the main issues before the Board in co-pending application Serial No. 10/255,216 is enablement under 35 U.S.C. §112, first paragraph - which is the same issue that is under final rejection in the present application.

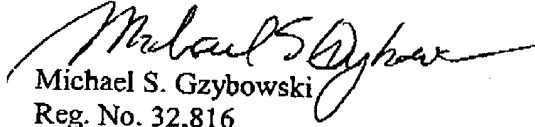
Rather than argue the same issue in both applications, the undersigned is filing this petition to suspend examination in the present application until the Board of Patent Appeals and Interferences decides the enablement issue in co-pending application Serial No. 10/255,216.

The undersigned authorizes the Commissioner of Patents to charge the necessary petition fee under 37 CFR §1.17(g) of \$200 to deposit account no. 12-2136 to consider this petition.

If necessary, the undersigned further authorizes the Commissioner of Patents to charge deposit account \$250 and consider this petition to include a Notice of Appeal from the final rejection of pending claims 1-9, 21-26 and 28-30 dated October 2, 2006.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



Michael S. Gzybowski
Reg. No. 32,816

BUTZEL LONG
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168476.1

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Doc Code:

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PTO/SB/17 (07-06)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known

FEE TRANSMITTAL for FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$200.00

Application Number 10/723,396
Filing Date November 28, 2003
First Named Inventor Ping-Wah LIN
Examiner Name Richardo Palabrica
Art Unit 3663
Attorney Docket No. 121048-0006

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit

Deposit Account Number: 12-2136

Deposit Account Name: BUTZEL LONG

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

50

25

Multiple dependent claims

200

100

360

180

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 20 or HP = $\frac{HP - 20}{HP - 20} \times \$25.00 = \$0.00$

Indep. Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 3 or HP = $\frac{HP - 3}{HP - 3} \times \$100.00 = \$0.00$

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee (\$)

Fee Paid (\$)

- 100 = 0 / 50 = 0 (round up to a whole) x \$125.00 = \$0.00

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition

\$200.00

SUBMITTED BY

Signature

Name (Print/Type)

Registration No.
(Attorney/Agent)

32,618

Telephone

734-995-3110

Date

March 2, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.